

## FAMILIES FILE ON BIG COAL TRACTS

How Operators Round Up Holdings Explained Before Grand Jury.

MORE WITNESSES HEARD

INVESTIGATION MAY BE CONCLUDED FRIDAY.

How the families and friends of the coal operators were induced to take up claims for the purpose of assigning them to the promoters, thus increasing their holdings many times the limit of legal entry, was explained to the federal grand jury, which is investigating the coal land frauds in southern Utah, at the federal building yesterday. The land was secured under the pretense that it was good only for agricultural purposes, while in reality all parties concerned knew it to contain valuable coal deposits.

The principal witnesses were E. O. Howard, assistant cashier of Walker Brothers bank, and William Howard, United States commissioner at Huntington, Utah. The evidence given by the latter was in line with his testimony Tuesday, when he is supposed to have related interesting facts regarding the making of fraudulent affidavits before him in connection with the taking up of these claims, which are supposed to be located in Emery county.

E. O. Howard is supposed to have testified regarding the financial transactions of the promoters of the alleged frauds and the manner in which those who took up the claims and afterwards assigned them were paid.

Other witnesses yesterday were Rilla and Jennie Snyder, Ernest Bowman, a university student, David Block and Thomas P. Kelley. These parties are thought to be among those who took up the claims and assigned them to the promoters. The nature of their evidence, however, could not be definitely ascertained. The jury has still a dozen witnesses to



No scarecrows, bugs or old-timers in our stock. Everything new, crisp and sparkling. During this money-back shoe sale every pair fitted by expert sales people. No bargain tables.

Come in and save a little. A guarantee with every pair. DAVIS SHOE CO.

examine in relation to the alleged frauds, and it is possible that the investigation will continue into next week, although it is hoped that it can be concluded Friday afternoon. What the result will be is of course open to conjecture, but it does not seem plausible that the department of justice would have maintained a special agent here in the person of F. E. Maynard to gather evidence in connection with these matters unless some very definite information could be secured. For this reason, and for others known only to a few, the general impression is that the jury will return a bunch of indictments in which several well-known men may be named as defendants in criminal actions.

## TWO TRAFFIC MANAGERS ON THE WITNESS STAND

Continued from Page 1.

Subordinates, with reputations to make or to sustain, would work for the interests of their lines against all other lines, and competition must therefore inevitably follow. He asserted that James J. Hill, while probably the leading railroad man in the country, could not abolish competition between the Northern Pacific and the Great Northern because of the personal spirit of the men he employs.

Mr. Hannaford expressed similar views regarding the stifling of competition. The only other witness of the day was M. C. Markham, traffic manager of the Missouri Pacific.

## THREE MEN QUESTIONED.

Markham, Stubbs and Hannaford Unfolded Their Views.

Chicago, Jan. 9.—M. C. Markham, traffic manager of the Missouri Pacific, was the first witness called before the interstate commerce commission when the investigation of the Harriman lines was resumed. Mr. Markham was questioned by C. A. Severance of St. Paul, acting for the commission.

The witness was asked if the Union Pacific and Southern Pacific were, prior to their consolidation, competitors for transcontinental business? He said they were.

Before going to the Missouri Pacific, Mr. Markham was connected with the Illinois Central, and he said that both roads were extensive competitors for Pacific coast business originating along the line of the Illinois Central.

"Was there any lessening of competition after the consolidation?"

"It was generally understood that the competition was less."

Mr. Markham declared that in his opinion the Union Pacific was not a link in transcontinental transportation, as contended yesterday by the attorneys of Mr. Harriman, but as long as the Portland gateway is open, it is a Pacific coast line in itself. The witness said that before the consolidation the Southern Pacific and the Illinois Central were competitors for the California fruit trade and for passenger business also.

Mr. Markham was cross-examined by Mr. Milburn, who took exception to the statement made by the witness that he considered the Union Pacific an independent Pacific line. He asked the witness if the Southern Pacific, acting as an independent line, could not give to the Union Pacific a large or small amount of eastbound traffic at Ogden.

Witness Did Not Know.

"I don't know whether it could or not. There are influences at work which would prevent it."

"But the Southern Pacific, as an independent line, might do this?"

"It might, and destroy itself."

Mr. Milburn then asked if the Union Pacific via Portland to San Francisco was to be compared to a direct line west of Ogden.

The witness replied:

"The rate settled those things, and rates can be made as low via Portland to San Francisco as by any other route."

Mr. Markham said that while acting as assistant traffic manager of the Illinois Central it was understood that traffic originating west of a line drawn from Cairo to the vicinity of Cleveland was to go west via Ogden traffic originating east of that line was to go via New Orleans.

Railroad Attorney's View.

Mr. Milburn brought out the statement that in all Pacific coast traffic originating on the Illinois Central, that line and the Southern Pacific must be factors, his object being to show that, however the traffic went, the Southern Pacific was certain to be an element and could not be in all cases construed as a competitor of the Union Pacific.

Commissioner Lane asked the witness if he considered all transcontinental lines as competitors to the extent that the Cana-

dian Pacific is a competitor of the Southern Pacific. The witness replied in the affirmative.

Commissioner Clements asked when the Union Pacific and Southern Pacific were competing for Illinois Central traffic, the rates were identical by both lines.

"The published rates were the same," he replied.

In answer to questions by Commissioner Knapp the witness said that the only difference to the Illinois Central made by the combination of the two roads was that of the freight that the Illinois Central was compelled to ship via Omaha, which would have otherwise been taken via New Orleans, making a loss to it of \$400,000 a year, and a corresponding loss in revenue.

Stubbs on the Stand.

The next witness was J. C. Stubbs, traffic director of the Union and Southern Pacific systems. Answering many questions, Mr. Stubbs said that the rates from Pittsburgh to the Atlantic, thence via the Morgan Steamship lines and Southern Pacific to California, are the same as those of the freight that the Illinois Central was compelled to ship via Omaha.

Asked whether his Chicago office could not route freight either via New Orleans or Ogden, witness said that the line on which the traffic originated dictated the route. Mr. Stubbs said there was strong competition in Chicago for Pacific coast business. He was asked if Mr. Nehrer, the Chicago agent, was a competitor for this business.

"Is he a competitor as between the Union Pacific and Southern Pacific?"

"That means he was never a competitor?"

Mr. Nehrer has always been instructed to ship from this territory via Ogden. If he worked for any other road he violated his instructions.

Answers Not Satisfactory.

Mr. Kellogg asked many questions regarding the competition of the Union Pacific and Southern Pacific, designed to show that the roads were prior to 1901, but are not now competitors. Mr. Stubbs answered he was not always satisfactory to the attorney.

"I understand," said Mr. Stubbs, "what your idea is, but I am giving you the facts as I know them."

"I understood perfectly," Mr. Stubbs, "said Mr. Kellogg, 'just exactly what you are giving me.'"

Mr. Stubbs declared that the attorney overbooked entirely the fact that the Union Pacific is always a connection of the Southern Pacific.

"I don't overlook it at all," broke in Mr. Kellogg.

"And," continued Mr. Stubbs, ignoring the interruption, "they are not competitors for California business."

"And never were," Mr. Kellogg said. "Not according to my theory."

Both Roads in Pool.

"How was it then when both roads were members of the pool on Pacific coast business, the Southern Pacific took 21 per cent and the Union Pacific 30 per cent of the business?"

"There were other lines in that pool, you must remember."

Mr. Stubbs was asked if earlier in his connection with the Southern Pacific the Union Pacific made higher rates to California from points west of New York than from New York itself because the Southern Pacific was compelled to assume the eastbound haul to New York in order to connect with steamship lines.

"That was done," said Mr. Stubbs. "We had to be consistent."

He was asked if at that time the Southern Pacific was not opposed in the making of these rates by the Union Pacific.

"Oh, I don't think so," he replied.

"Were they not competitors for Pacific coast business at that time?"

"They were, that is, the Southern Pacific proper was a competitor of the line formed by the Union Pacific and the Southern Pacific west from Ogden."

Mr. Stubbs, in answer to questions, said prior to 1901 the Union and Southern Pacific had separate solicitors in various cities seeking the same Pacific coast business.

Would Not Cut Rates.

Mr. Kellogg asked Mr. Stubbs if he would permit the cutting of rates by the Southern Pacific in order to take business from the Union Pacific or vice versa.

"No," he replied.

"Did you cut rates on the Southern Pacific in order to take business from the Union Pacific prior to the consolidation?"

"I think not."

"You never did that?"

"Never cut any rates."

"We never originated any cut rates."

"Are not trans-continental rates about 10 per cent higher than before the consolidation?"

"All the lines tried to advance rates

about 12 per cent, but it could not be maintained."

Mr. Kellogg submitted to the witness statements showing that the Union Pacific had prospered greatly in the last few years and asked if in view of this he considered the present rates as equitable.

"I consider them entirely reasonable," he replied.

Competition Still Keen.

"And the competition between the Union Pacific and the Southern Pacific is still keen?"

"Do you think this?"

"No, I don't," Mr. Kellogg said. "The competition between the two roads is still keen."

Commissioner Clements asked if the Southern Pacific owned stock in the Wells-Fargo company. Mr. Stubbs replied he believed it did. He was asked if the railroad held about 40 per cent of the express company's stock.

In response to Mr. Lane's questions, Mr. Stubbs declared there is as much competition between transcontinental lines as there is between local lines.

"Would the fact," asked Mr. Lane, "that two roads, such as the Northern Pacific and the Great Northern under one ownership, have any effect on rates?"

"I don't believe it would have a particle of effect," said Mr. Stubbs.

Arrangement With Rio Grande.

In replying to further questions of Commissioner Lane, Mr. Stubbs said that while the Southern Pacific deals preferentially with the Union Pacific it had a reciprocal arrangement with the Denver & Rio Grande by which the Southern Pacific gives to the Denver & Rio Grande at Ogden as much traffic as it receives from that line.

Commissioner Clements asked Mr. Stubbs if he would sanction an increase of rates, without knowing that his competitors were going to do the same.

"I wouldn't dare do it," replied the witness.

"Then there isn't such a thing as an independent line."

"It is just as independent as any member of society can be. Every man in the community is compelled to forego a portion of his natural rights for the good of the whole. I see no difference in this case."

"Is a company," said Commissioner Clements, "paying 16 per cent dividends, isn't that a ground for reducing rates?"

Remembers the Lean Year.

"I don't know," said the witness, "that it is expedient for me to give my personal opinion on that. You are referring to the Union Pacific. I would say that it is well to remember the lean years that the Union Pacific stockholders have gone through. Under the circumstances, I should not say that reduced rates are called for."

Mr. Milburn, in commencing the cross-examination, said:

"There may be lean years in the future, may there not?"

"I hope not, but I am afraid there will be. The last few years have been very exceptional in regard to the railroad business."

Mr. Milburn brought out from Mr. Stubbs the statement that he considered the thirty-day notice of proposed alteration of rates as directed by the new rate law as a distinct benefit, because he believed it would bring about increased stability of rates.

Competition Would Still Exist.

Questioned by Commissioner Harlan regarding railroad competition, Mr. Stubbs said that one owner for parallel lines did not mean the destruction of competition.

"Mr. Hill," he said, "is probably the leading railroad man in this country, and he cannot, if he would, destroy competition between the Great Northern and Northern Pacific. He must employ vice presidents and general managers. These men have their reputations to uphold or to construct. They will work for their own line against the other line, and competition is inevitable. If Mr. Hill should take that spirit out of his men he might as well hand their management over to a one-hundred-dollar clerk."

Examination of Hannaford.

Mr. Stubbs was succeeded on the stand by J. N. Hannaford, second vice president of the Northern Pacific, who is in charge of the traffic on that line.

Mr. Hannaford said that in the pools conducted prior to 1887 the Union Pacific and Southern Pacific were represented as separate lines. He had always considered the Southern Pacific and the Union Pacific, in connection with the Oregon Short Line, as competitors of the Northern Pacific for Portland traffic. The Northern Pacific could not be an active competitor of the Southern Pacific on business from the east to San Francisco, because the boat service of the latter line between New York and Galveston

could not be equaled across the lakes. Mr. Hannaford did not consider a combination of transcontinental lines meant destruction of competition, and declared the business rivalry between the Great Northern and Northern Pacific is sharper today than before they went under the same management.

Lawyer Spoke With Feeling.

"Mr. Hannaford, I will illustrate," said Mr. Severance. "Don't you believe that the excellent passenger service between Chicago and St. Paul is superior to that between New York and Boston because there are rival lines between the two former cities and none between the latter two? Don't you account for the midnight horrors that run between New York and Boston on the ground that there is no competition there?"

"Well, they are," said Mr. Severance, with feeling.

Commissioners Lane and Harlan asked Mr. Hannaford many questions as to whether or not a consolidation of competition did not mean a stifling of competition. The witness did not believe that such a result would necessarily follow.

Owners Cut No Figure.

"Do you believe," asked Attorney Kellogg, "that if philanthropic men down in New York who own these lines will give the best service they can of their own accord?"

"They have very little to do with the operation of the roads," said Mr. Hannaford. "The men who actively operate the lines will give the best service they can."

The witness was asked by the attorneys for Mr. Hannaford just how great a factor in bringing business to a railroad was a reduction in rates. Mr. Hannaford said it was a very important factor.

"Suppose," said Mr. Lane, "that you announce a reduction of rates of a competitor of its intention to meet this cut by a reduction on something else do you mean making your proposed reduction?"

"It would, if I stood to lose more than would gain. Once it would not, but now I am older than I used to be."

The hearing was adjourned until 10 o'clock tomorrow morning.

Hill Not to Testify.

St. Paul, Jan. 9.—President J. J. Hill, of the Great Northern railroad, will not go to Chicago to appear before the interstate commerce commission. Mr. Hill's secretary made this statement today. When the commission met in Minneapolis, Mr. Hill went into the car shortly after 10 o'clock. It is said he thinks that he could add nothing of value to what he said then.

SCHOOL FUND APPORTIONED

County Auditor Distributes \$131,114.20 on a Basis of \$4.76 Per Capita.

The county school fund has been distributed among the various school districts of the county by the county auditor as follows, on a basis of \$4.76 per capita school population:

District	Population	Amount
Murray	1,189	\$5,616.30
Jordan	2,728	\$12,922.88
Granite	4,132	\$19,682.42
Salt Lake City	18,495	\$88,036.20
Totals	27,544	\$131,114.20

REAL ESTATE TRANSFERS.

Maggie A. Brown to George G. Doyle, lot 2, block 4, plat E. 2,000

Susan Lindholm and wife to John F. Howell, part section 10, township 1 south range 1 east. 2,000

San Pedro L. A. & S. L. Ry. Co. to Equitable Trust Co., part section 10, township 10, south range 3 west and other. 5,898.62

John S. Smith and wife to Christina Gallacher, lot 2, block 2. 1,700

Walker's Sub. section 35, township 10, south range 1 east. 250

Glenn R. Bothwell and wife to John A. Anderson, lots 12-13, block 9. 1,000

O. Bourdon to A. W. Holder, lot 4, block 2, Walker's sub. 1,000

Marlow Van Cott to Addison Cain, lots 4-5-6-7-8, block 4, Holland Sub. 1,000

John Lundgren to John A. Anderson, part section 6, township 3, south range 1 east. 1

Maggie B. Thomson to Josephine Christensen, section 35, township 10, south range 1 east. 850

Louise B. Wilfong to James Thompson, lots 8-9, block 1, Erick's sub. 650

Deems Mining Co. to Bingham Standard Copper Co., mining claims, the Deems, Sofia and Big Treasure. 45,000

## APPOINTMENTS ARE CONFIRMED

County Commissioners Approve of Selections Made by Department Heads.

SALARIES ARE INCREASED

COMPLETE LIST OF APPOINTEES AND COMPENSATION OF EACH.

The county commissioners met yesterday and confirmed the appointments made by the heads of various departments. Few recommendations were made for increases in salary, and among those whose salaries were increased were the following: Joseph C. Sharp, deputy sheriff, increased from \$100 to \$115; W. H. Farnsworth, deputy county clerk, increased from \$110 to \$115; David A. Smith, deputy county clerk, increased from \$110 to \$115; Mrs. Margaret Z. Witcher, increased from \$75 to \$80; Lucrétia M. Cooley, commissioner's deputy, increased from \$70 to \$75. Increases were allowed to the employees of the county attorney's office as follows: Job P. Lyon, first assistant, from \$115 to \$125; David M. Haigh, new appointee, second assistant, from \$100 to \$110.

The various appointments confirmed, with the salaries paid to each appointee are as follows:

Sheriff's Office.

Chief deputy—J. Parley White, \$115. Criminal deputies—Joseph C. Sharp, \$115; A. A. Emery, \$80; Andrew Smith, Jr., \$80; A. H. Steele, \$80; Harold Sleater, \$80. Civil deputies—T. L. Irvine, \$80; W. B. Booth, \$80.

Bailiffs—A. A. Butler, \$75; Joseph Bull, Jr., \$75; Robert Bridge, \$75; Josiah Lees, \$75. Jailors—Joseph Burbridge, chief, \$80; Charles A. Sperry, \$80; L. J. Larson, \$80. Stenographers—Violet Williams, \$65. Deputies—John L. Forbes, \$75; D. R. Beckstead, \$75; Niels Anderson, \$75; Lafayette Childrester, \$75; Alfred Pautsch, \$75; Patrick Sawyer, \$75.

Recorder's Office.

Chief deputy—J. L. May, \$110. Deputies—L. P. Palmer, \$85; F. J. A. Jacques, \$85. Abstractors—T. A. Moore, \$80; Elber

HOW OUR GOOD OLD GRANDMOTHERS CURED COUGHS AND COLDS.

Our grandmothers had the right idea; when any one had a cough or cold on the lungs in their day, the good old goose grease and turpentine were trotted out and the chest was plastered good and thick and a piece of flannel was put on; then a tea was made of flaxseed, with addition of sugar, licorice and lemon juice—pretty good stuff, too. Why? Because the principle was all right.

The writer was talking to one of the leading local druggists about this the other day and remarked that they didn't do things like they used to.

The druggist remarked that there was one firm that had started on the right track and had brought the good old principles of our grandmothers down to date. He then went and brought out a package of the BROMO COUGH REMEDY, and showed the writer. Upon opening the package the writer found a BROMO COUGH PLASTER and a bottle of COUGH MIXTURE. The druggist explained that the plaster was to put on the chest to relieve the congestion on the lungs that usually accompanied coughs and colds. This loosened up the cough, just like the goose grease did, making it easy for the cough mixture to do its work.

The writer thought this a pretty clever idea, and certainly a most practical one. Incidentally the druggist remarked that the whole package only cost 50 cents, so you really get the plaster free.

For sale by Willis-Horne Drug Co., F. C. Schramm, Godbe-Pitts Drug Co., F. J. Hill Drug Co., Vandyke Drug Co.

## HEWLETT'S The Fresh Roasted Coffee That Pleases The Exacting Drinker.



BUY FROM YOUR GROCER.

No secrets about Phospho-Pepsin Tablets

Formula in each package. They cure stomach troubles. Twenty-five cents. At all Drug Stores.

Chase, \$80; Amy Smith, \$75; Elsie Furrer, \$65. Platemakers—Fred Bush, \$75; Harry Roberts, \$75. Stenographers—Hazel C. Young, \$65. Proofreaders—Lizzie Macdonald, \$65; Lytle James, \$65.

Copists—Mrs. J. A. Mahan, \$65. Copyists—Mrs. J. A. Mahan, \$65. Smith, Laura Gibson, Rose Siebel, Jennie Salmon, Mrs. T. J. Dunham, Ella Pendleton, Mamie L. Bowman, Belle Perkins, Daisy Duncomb, \$5 a month each.

County Attorney's Office.

Chief deputy—Amos S. Gabbot, \$100. Deputy—William A. Leatham, \$80. Stenographer—Nelle S. Stryker, \$250 per day.

Assessor's Office.

Chief deputy, probate division—W. H. Farnsworth, \$115.

County Clerk's Office.

Chief deputy, district court division—David A. Smith, \$115; increase \$5. Deputy court clerks—Howard A. King, William E. Jenkins, H. F. Evans and G. A. Gibbs, \$85.

Office deputy—Margaret Z. Witcher, \$80. Commissioners' deputy—Lucrétia M. Cooley, \$75. Stenographers—Olivia M. Burt, Minnie McKenzie, Lillian James, \$85. Mailing clerk—Mabel Anderson, \$55. Extra clerk—Grace Cottle, \$250 per day.

Auditor's Office.

Chief deputy—Fred C. Bassett, \$100. Second deputy—C. Roscoe Vigus, \$85.

Treasurer's Office.

Chief deputy—A. T. McCann, \$115. Deputy—J. A. Mahan, \$110. Clerks—W. J. Moore, \$80 and J. M. Rasmussen, \$85.

Surveyor's Office.

Chief deputy—John D. H. McAllister, \$5 per day. Draughtsman—John E. Mackay, \$75. The salaries paid to the various elective officers are as follows:

Sheriff C. Frank Emery, \$250; county clerk J. L. Eldredge, Jr., \$300; auditor, Frank Heginbotham, \$150; treasurer, J. A. Grovesbeck, \$28.50; county attorney, Willard Hanson, \$28.50; surveyor, J. B. Swenson, \$100; county recorder, P. O. Perkins, \$168.50; county assessor, Campbell M. Brown, \$150, and county commissioners, \$25 each.

Popular music, 3 for 25c. BEESLEY MUSIC CO., 46 S. Main.

COME NOW! BE ALERT, BE ENERGETIC, BE PUNCTUAL AND SAVE MONEY!

# SHELVES MUST BE EMPLOYED

# AUERBACK'S GREATEST CLEARING SALE